

## CHAPTER 87

### IN-STATE CONSTRUCTION CONTRACTS — APPLICABLE LAW

H.F. 211

**AN ACT** requiring in-state construction contracts and disputes thereof to be governed by Iowa law and including effective date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. **537A.6 In-state construction contracts — Iowa law to govern.**

1. As used in this section, “*in-state construction contract*” means a public, private, foreign, or domestic agreement relating to construction, alteration, repair, or maintenance of any real property in this state and includes agreements for architectural services, demolition, design services, development, engineering services, excavation, or any other improvement to real property in this state, including buildings, shafts, wells, and structures, whether on, above, or under real property in this state. “*In-state construction contract*” does not include any agreement between this state and any other state.

2. A provision of an in-state construction contract is void and unenforceable as contrary to public policy if the provision does any of the following:

- a. Makes the in-state construction contract subject to the laws of another state.
- b. Requires any litigation, mediation, arbitration, or other dispute resolution proceeding arising from the in-state construction contract to be conducted in another state.
3. The laws of this state shall apply to every in-state construction contract.
4. Any litigation, mediation, arbitration, or other dispute resolution proceeding arising from or relating to an in-state construction contract shall be conducted in this state.

Sec. 2. **EFFECTIVE DATE.** This Act takes effect January 1, 2014.

Approved May 1, 2013